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6                   UNITED STATES DISTRICT COURT  
7                   NORTHERN DISTRICT OF CALIFORNIA  
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9 AHMAD R. BARAT,  
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11                   Claimant,

No. C 09-02536 MHP

v.

12 MICHAEL J. ASTRUE, Commissioner of  
13 Social Security,  
14                   Defendant.  
15                   \_\_\_\_\_  
16

**JUDGMENT**

17         This action having come before this Court, the Honorable Marilyn Hall Patel, United States  
18 District Judge presiding, and the issues having been duly presented in accordance with the standing  
procedural order of this Court, and an Order having been duly filed herein,

19         IT IS ORDERED AND ADJUDGED that claimant's motion for summary judgment is  
20 GRANTED and defendant's cross-motion for summary judgment is DENIED, and that the action is  
REMANDED for proceedings consistent with this court's memorandum and order.

21         This judgment is entered pursuant to sentence four of section 405(g) of the Social Security  
22 Act, 42 U.S.C. § 405(g).<sup>1</sup>

23  
24 Date: June 16, 2011

  
25 MARILYN HALL PATEL  
26 District Judge  
27 United States District Court  
28 Northern District of California

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**ENDNOTES**

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1. Without opining on the merits of an attorneys' fee application, the court notes that the time within  
2 which to make an application for attorneys' fees commences to run with the filing of this judgment.

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